

BEFORE THE PLANNING COMMISSION
KLAMATH COUNTY, OREGON

IN THE MATTER OF REQUEST FOR
MNP 16-89 FOR O'CONNER LIVESTOCK CO.
IN THE FR AND EFU-CG ZONES

ORDER

1. NATURE OF THE APPLICATION

A hearing on this application was held July 25, 1989, pursuant to notice given in conformity with Ordinances No. 44 and 45.

The hearing was held before the Klamath County Planning Commission.

The request to partition property in the Forestry Range and Exclusive Farm Use zones was considered pursuant to sections 51.018 and 51.021 of the Land Development Code.

2. NAMES OF THOSE INVOLVED

The applicant was represented by Jack O'Conner. The Planning Department was represented by Kim Lundahl, Senior Planner. The recording secretary was Karen Burg, Administrative Secretary. There was no opposition to this application.

3. LEGAL DESCRIPTION

The subject property is 3875 acres in size and located in Townships 40 and 41 south, Ranges 9 and 10 east, W. M.. Generally located in the Klamath Hills south into the former lakebed of the Lower Klamath Lake.

4. RELEVANT FACTS

The property is within two Plan/Zone designations, both re-

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source zones.

That property is under farm tax deferral over its entirety. As the use of the property is for agricultural purposes the criteria included in the EFU-CG zone for partitioning are relevant.

5. FINDINGS

All evidence submitted as the staff report, exhibits A-F, and offered testimony show that the approval criteria as set out in this code have been satisfied. The Planning Commission finds this application conforms with the applied criteria. The applicant has applied for a minor partition to divide 3875 acres into three parcels, one of 1095 acres, a second of 1184 acres, and a third of 1596 acres.

The purposes for this partition, as put forth by the applicant, are:

a. to divide off the distinct types of agricultural operation from each other. The present use of parcel 1 is cattle production, that of parcel 2 is sheep raising and hay and grain are raised on parcel 3.

b. to allow flexibility of choice in the future.

The Planning Commission finds these to be sound reasons to approve the partition as proposed as the uses currently existing, agricultural, will not be compromised.

The commission further finds the partition will not compromise statewide planning goals 3 and 4 as the project meets the intent of the statewide planning program and local implementation

6. CONCLUSIONS AND ORDER

The Planning Commission finds the applicant has satisfied the pertinent review criteria in that correct notice was given, all relevant codes and policys have been addressed and that the intent of the statewide planning program have not been compromised.

Therefore, it is ordered the request for Minor Partition 16-89 is approved subject to agency recommendation and the requirements of Section 45 of the Code.

DATED this 11 day of August, 1989

Presiding Officer of the Planning Commission

Susan H. Crismon

Secretary to the Planning Commission

Carl Shuck

Approved as to form and content:

Michael L. Spencer

Michael L. Spencer, County Counsel

NOTICE OF APPEAL RIGHTS

You are hereby notified that this decision may be appealed to the Klamath County Board of Commissioners by filing with the Planning Department a Notice of Appeal as set out in Section 33.004 of the Klamath County Land Development Code, together with the fee required within ten days of the date of mailing of this decision.

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STATE OF OREGON: COUNTY OF KLAMATH: ss.

Filed for record at request of Klamath County the 15th day of Aug. A.D., 19 89 at 10:35 o'clock AM., and duly recorded in Vol. M89 of Deeds on Page 15080.

FEE none

Evelyn Biehn County Clerk

By Pauline M. Mullenbaker

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